

EQUALITY IMPACT ASSESSMENT

The **Equality Act 2010** places a ‘**General Duty**’ on all public bodies to have ‘**due regard**’ to the need to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advancing equality of opportunity between those with a ‘relevant protected characteristic’ and those without one;
- Fostering good relations between those with a ‘relevant protected characteristic’ and those without one.

In addition the Council complies with the Marriage (same sex couples) Act 2013.

Stage 1 – Screening

Please complete the equalities screening form. If screening identifies that your proposal is likely to impact on protected characteristics, please proceed to stage 2 and complete a full Equality Impact Assessment (EqIA).

Stage 2 – Full Equality Impact Assessment

An EqIA provides evidence for meeting the Council’s commitment to equality and the responsibilities under the Public Sector Equality Duty.

When an EqIA has been undertaken, it should be submitted as an attachment/appendix to the final decision-making report. This is so the decision maker (e.g. Cabinet, Committee, senior leader) can use the EqIA to help inform their final decision. The EqIA once submitted will become a public document, published alongside the minutes and record of the decision.

Please read the Council’s Equality Impact Assessment Guidance before beginning the EqIA process.

1. Responsibility for the Equality Impact Assessment	
Name of proposal	Admissions Arrangements
Service area	Schools and Learning
Officers completing assessment	Nick Shasha and Carlo Kodsi
Equalities/ HR Advisor	Fatimah Basama
Cabinet member signing date (if applicable)	
Director/Assistant Director	Eveleen Riordan

2. Summary of the proposal

Please outline in no more than 3 paragraphs

- *The proposal which is being assessed*

- *The key stakeholders who may be affected by the policy or proposal*
- *The decision-making route being taken*

This Equality Impact Assessment (EqIA) accompanies the Cabinet report

Determination of the Council's School Admission Arrangements for the academic year 2023/24 which recommends that Cabinet agree to consult on the proposed admissions arrangements for the academic year 2023/24.

Key stakeholders are parents, carers, staff, children and young adults educated in Haringey community schools. In addition, the same set of stakeholders across the 6 London boroughs neighbouring Haringey.

To ensure as wide a consultation as possible we intend to provide details of the proposed admission arrangements in the following ways:

- through the Schools Bulletin which is distributed to the headteacher and chair of governors of schools in the borough
- through direct emails to head teachers and Chairs of Governors
- to all children's centres in the borough
- to all registered nurseries and child minders and any other early years providers
- on the Council's online primary and secondary admissions page
- via information in all libraries across the borough
- to all councillors
- to both MPs with constituencies in Haringey
- to the diocesan authorities
- to neighbouring authorities
- other groups, bodies, parents and carers as appropriate

An Equalities Impact Assessment (EqIA) will form an important part of the consultation and will seek to ascertain whether the proposed Admission Arrangements could have an impact on protected groups and whether there are steps that can and/or should be taken to mitigate against such an impact.

The Local Authority has a duty to put in place admission arrangements that comply with the mandatory provisions set out in the School Admissions Code 2021. These consist of Admissions Criteria and a Coordinated scheme and aim to provide a clear admissions system and oversubscription criteria which are transparent to those parents applying for a school place.

The Council is the admissions authority for community and voluntary controlled (VC) schools within the borough and therefore is responsible for determining the admission arrangements for these schools. Academies, foundation schools and voluntary aided schools are their own admissions authority; they must consult on and then determine their own admissions arrangements. The Council has a statutory duty to monitor the arrangements determined by own admitting authority schools to ensure compliance with the School Admissions Code. The Council is the coordinating authority for all schools in the Borough (except independent fee-paying schools) and will send out school place offer

letters to all Haringey residents where a school place has been applied for in any given year.

The school admissions framework is intended to ensure that the school admissions system is fair to all children regardless of race, ethnicity, gender or ability.

“In drawing up their admission arrangements, admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated” page 7, para 3 - School Admissions Code 2021.

The Code provides admission authorities with some flexibility to determine and implement their own admission arrangements through local consultation, in order to meet circumstances in their area. However, the purpose of the framework is to aim to ensure that unlawful and unfair arrangements are not adopted and that the needs of all children are met.

As in all boroughs, some schools are more popular than others and inevitably some parents will not secure a place at their preferred school. However, the Local Authority has ensured that the proposed Haringey Admission arrangements 2023/24 are compliant with all areas of the Admissions Code, are equitable and transparent and include measures to actively promote fairness.

Proposed Admission Criteria

The proposed admission criteria previously determined vary only slightly according to the type of provision (nursery¹, primary, secondary etc) they apply to – the criteria for all these settings can be viewed in appendix 1 through to appendix 3. However, the main principles for Haringey community and VC schools are set out below:

Statement of Special Education Needs - When the school is oversubscribed, after the admission of pupils with an Education, Health and Care plan or statement of special educational needs naming the school, priority for admission will be given to those children who meet the criteria set out below, in priority order:

If the number of applicants without statements of educational needs/ECHP naming the school is higher than the number of places available, the following rules are applied, in the order of priority to decide who will be offered a place:

1. Children in Care/Children Looked After

Children who are looked after by a local authority or were previously looked after but immediately after being looked after, became subject to an adoption, child arrangements, or special guardianship order.

¹ In the case of nurseries, the Authority is responsible for admissions but these are managed by schools with nurseries and nursery centres.

A looked after child is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in Section 22(1) of the Children Act 1989).

Previously looked after children include those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted. A child is regarded as having been in state care outside of England if they were in the care of or were accommodated by a public authority, a religious organisation, or any other provider of care whose sole or main purpose is to benefit society.

2. Social Medical

Children who the Authority accepts have an exceptional medical or social need for a place at one specific school. Applications will only be considered under this category if they are supported by a written statement from a doctor, social worker or other relevant independent professional. The information must confirm the exceptional medical or social need and demonstrate how the specified school is the only school that can meet the defined needs of the child.

3. Brother or Sister (sibling)

Children with a brother or sister already attending the school and who will still be attending in years 7-11 on the date of admission.

If a place is obtained for an older child using fraudulent information, there will be no sibling connection available to subsequent children from that family.

4. Children of staff

Children of teaching staff of the school where the member of staff has been employed at the school for two or more years at the time of application and/or children of a member of staff who has been recruited to fill a vacancy for which there is a demonstrable skill shortage.

5. Distance

Children whose home address is closest to the preferred school.

Distance will be measured in a straight line from the Ordnance Survey address point of the child's home to the Ordnance Survey address point of the school, calculated using a computerised mapping system.

Proposed Pan London Co-ordinated Scheme 2023/24

Haringey Council's coordinated scheme is developed in line with the Pan London recommendations and sets out the procedures that all schools for which Haringey is the admitting or coordinating authority agree to sign up to.

In-Year Fair Access Scheme

The 2023/24 arrangements also contain an In-Year Fair Access Scheme which acknowledges the need to deal with vulnerable young people who are not on the roll of a school, quickly and sympathetically. This scheme also fairly shares the burden of admitting vulnerable students across all schools and academies, taking account of their resources to support each pupil.

In line with the new provisions of the Code, the fair access scheme now encompasses wider categories of children – unplaced, vulnerable and those who are unable to secure a school place in-year. This results in a greater number of categories of children who may be eligible for support under FAP (paragraph 3.17 of the Code) but those are the only categories of child who may be supported – there can be no local variation, as is the case in Haringey fair access protocol in para. 5 at Appendix 5.

Relevant Legislation

According to the Equality Act 2010 an admission authority must not discriminate on the grounds of disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, or sexual orientation against a person in the arrangements and decisions it makes as to who is offered admission as a pupil. This Act contains limited exceptions to the prohibition of discrimination on grounds of religion or belief and sex. Schools designated by the Secretary of State as having a religious character (faith schools) or single sex schools are exempt as they are allowed to make a decision based on religious belief or sex respectively.

Admission authorities are also subject to the Public Sector Equality Duty and therefore must have due regard to the need to eliminate discrimination, harassment, and victimisation, advance equality of opportunity and foster good relations in relation to persons who share a relevant protected characteristic and persons who do not share it.

3. What data will you use to inform your assessment of the impact of the proposal on protected groups of service users and/or staff?

Identify the main sources of evidence, both quantitative and qualitative, that supports your analysis. Please include any gaps and how you will address these

This could include, for example, data on the Council's workforce, equalities profile of service users, recent surveys, research, results of relevant consultations, Haringey Borough Profile, Haringey Joint Strategic Needs Assessment and any other sources of relevant information, local, regional or national. For restructures, please complete the restructure EqIA which is available on the HR pages.

Protected group	Service users (pupils and parents/carers)	Staff
Sex	May 2021 School census GLA data: projections based on Census 2011 (GLA Population Projections (london.gov.uk)) ONS data: birth characteristics in England Wales: 2019 (Birth)	SFR25 (Statistical First Release, DfE)

	characteristics in England and Wales - Office for National Statistics (ons.gov.uk)	
Gender Reassignment	No national or local collected data	No national or local collected data
Age	May 2021 School census	SFR25 ONS data: birth characteristics in England Wales: 2019 (Birth characteristics in England and Wales - Office for National Statistics (ons.gov.uk))
Disability	2021 School census and data from Haringey SEN team	No national or local data available
Race & Ethnicity	May 2021 School census	SFR25
Sexual Orientation	No local collected data on sexual orientation, however there is ONS annual population data (2016) and ONS sexual identity, UK (2015), which are estimates.	
Religion or Belief (or No Belief)	Synthetic data derived from the 2011 ONS National census	
Pregnancy & Maternity	2011 census	
Marriage and Civil Partnership	2011 census	

Outline the key findings of your data analysis. Which groups are disproportionately affected by the proposal? How does this compare with the impact on wider service users and/or the borough's demographic profile? Have any inequalities been identified?

Explain how you will overcome this within the proposal.

Further information on how to do data analysis can be found in the guidance.

1. Sex

Service users (Primary and secondary age children by Sex)

	Primary Reception to Yr 6	Secondary Yrs 7-11	Grand Total	Primary Reception to Yr 6	Secondary Yrs 7-11	Grand Total
Female	9,889	6,618	16,507	49%	49%	49%
Male	10,437	6,876	17,313	51%	51%	51%
Grand Total	20,326	13,494	33,820	100%	100%	100%

Source: School Census May 2021

There are slightly more male than female pupils in both primary and secondary schools.

Service users (parents/carers)

Borough wide data indicates that there is a gender split of males 50.7% to females 49.3%. There is no available data indicating the proportion of each which is also a parent/carer.

Staff at Haringey schools

	Male (%)	Female (%)
Teachers	29% (692)	71% (1,708)
Teaching assistants	19% (177)	81% (771)
Other support staff	6% (18)	94% (269)
Administrative staff	30% (123)	70% (289)
Technicians	56% (44)	44% (34)
Auxiliary staff	16% (81)	84% (440)

Source: SFR25 2020/2021

The majority of Haringey school staff are female, and this is reflected in each category of school staff except technicians. The imbalance of teaching staff is most apparent amongst other support staff, of which 6% are male.

2. Gender reassignment

We do not hold data on the number of people who are seeking, receiving or have received gender reassignment surgery, and there is not national data collected for this characteristic. The Equality and Human Rights Commission estimate that there are between 300,000-500,000 transgender people in the UK. We will need to consider the inequalities and discrimination experienced for this protected group. For the purposes of this EqIA, we will use the inclusive term Trans* in order to represent the spectrum of transgender and gender variance.

3. Age

Service users (Primary and secondary children by Age and gender)

Year group	Male	Female	Grand Total
Reception	1,497	1,435	2,932
Year 1	1,443	1,407	2,850
Year 2	1,448	1,392	2,840
Year 3	1,475	1,372	2,847
Year 4	1,506	1,375	2,881
Year 5	1,477	1,457	2,934
Year 6	1,591	1,451	3,042
Year 7	1,372	1,374	2,746
Year 8	1,431	1,358	2,789
Year 9	1,432	1,336	2,768
Year 10	1,312	1,290	2,602
Year 11	1,329	1,260	2,589
Grand Total	17,313	16,507	33,820

Source: School Census May 2021

Broadly, the number of children entering Haringey's school system has increased year-on-year though primary cohorts are now reducing whilst secondary cohorts are growing. That said, the School census data from May 2021 indicates a general even split across each of the age groups, with no particular overrepresentation in any of the age cohorts and no resultant implications anticipated in relation to the school admissions proposals.

Service users (parents/carers)

GLA data projections approximate 21% of Haringey's population to be aged 0-17, 27% aged 18-34, 25% aged 35-49, 17% aged 50-64, and 11% aged over 65. ONS data indicates that, nationally, the mean average age for becoming a mother is 30.7 years old and a father, 33.6 years old. On this basis, it may be assumed that the majority of those in the 35-65+ cohort, representing a total of 53%, are parents or carers, alongside a proportion of those in the 18-34 age bracket.

Staff at Haringey schools

Age group	Headcount	Percentage (%)
Under 25	96	4%
25 to 29	383	16%

30 to 39	808	34%
40 to 49	579	24%
50 to 59	445	19%
Over 65	89	4%
Grand Total	2,400	100%

Source: SFR25 2020/2021

Note: Percentages (%) may not add up to 100% due to rounding.

The data indicates the majority of staff in Haringey schools are between the ages of 30 to 49.

We do not hold schools data which captures the numbers of staff who also have school age children. National data indicates that the mean age of mothers is 30.7 years old and fathers 33.6 years old. On the basis of the national data on the mean age of becoming a parent, we can assume that staff between 30 and 49, who make up the majority of the Haringey schools workforce, are also most likely to have school-age children.

4. Disability

Service users (pupils)

Total number of Children & Young People with statements or plans maintained by Haringey as at March 2021

Year	Totals	Year	Totals
Pre-School/Nursery	30	Year 9	149
Reception	114	Year 10	142
Year 1	115	Year 11	160
Year 2	115	Year 12	145
Year 3	124	Year 13	159
Year 4	131	Year 14	126
Year 5	124	Year 15	98
Year 6	159	Year 15 plus	332
Year 7	142	Totals	2,513
Year 8	148		

Source: Haringey SEN team 2018

The data demonstrates that there are a range of children with disabilities and that they are evenly represented across age groups. The proposed arrangements prioritise children meeting the criteria for a statement of special educational needs as well as also giving priority to children with social and medical considerations that meet the criterion

for an exceptional medical or social need. We do not hold data on pupils with less complex disabilities who do not qualify for either category.

Service users (parents/carers)

Data on parents' and carers' disability status is not available. Borough-wide Census data may have some read across to this cohort, although this is of limited use for the purpose of this analysis. This indicates that, while 14% of Haringey residents reported having a condition that limits their day-to-day activities, 83.2% reported themselves to be in good or very good health. 5.7% self-reported as being in bad or very bad health, and 11.2% in fair health.

Staff at Haringey schools

We do not hold borough-wide schools data on the disability status of Haringey staff. The Census data set out above may have some read across to the schools workforce, but we do not have access to additional data in this respect.

5. Race and ethnicity

Service users (pupils)

Ethnic composition (main groups) of Haringey's school pupil population as at 2020/21:

Haringey (Sub category)		
	Number	%
Any other ethnic group	2,671	6.9%
Any other ethnic group – Arab	180	0.5%
Asian - Any other Asian background	581	1.5%
Asian – Bangladeshi	1,036	2.7%
Asian – Chinese	358	0.9%
Asian – Indian	381	1.0%
Asian – Pakistani	356	0.9%
Black - Any other Black background	797	2.1%
Black - Black African	5,239	13.6%
Black - Black Caribbean	2,270	5.9%
Mixed - Any other Mixed background	2,217	5.7%
Mixed - White and Asian	842	2.2%
Mixed - White and Black African	635	1.6%
Mixed - White and Black Caribbean	1,055	2.7%
Unclassified	1,297	3.4%
White - Any other White background	10,506	27.2%

White - Gypsy/Roma	102	0.3%
White – Irish	278	0.7%
White - Traveller of Irish heritage	35	0.1%
White - White British	7,725	20.0%
Grand Total	38,561	100%

Source: DfE Schools, pupils and their characteristics as at 2020/21

The data demonstrates the significant diversity of school-age children in Haringey, with a general overrepresentation of minority groups compared with data on the wider Haringey population. 27.2% of Haringey’s pupils are from Any other white background whilst 20.0% are White-British. Some 13.6% of primary pupils are Black African and 5.9% are Black Caribbean. 6.9% of pupils are from any other ethnic group, with a level of representation seen across all other ethnic groups too.

Service users (parents/carers)

There is no data available on the ethnicity of parents and carers. However, this should largely reflect the ethnicity figures set out above in respect of pupils, as their children (with the exception of children in care that may be placed in foster care).

Census data indicates that the majority of the population are White British (34.7%), followed by White – Other (23.0%). 9.0% are Black African and 7.1% are Black Caribbean. While not a direct mirror of the data seen across the pupil cohort, the trends are not dissimilar, and deviations are likely due to the significant passage of time since the Census figures were collated.

Staff at Haringey schools

	All who are not minority ethnic group (%)	All who are minority ethnic group including white minorities (%)	Information not yet obtained (%)	Refused (%)
Teachers	47% (1,117)	43% (1,027)	10% (247)	0.3% (9)
Teaching assistants	35% (442)	58% (733)	7% (93)	-
Non-classroom-based support staff	41% (143)	52% (181)	6% (22)	-
Administrative staff	46% (219)	48% (227)	6% (27)	-
Technicians	45% (40)	55% (48)	N/A	-

Auxiliary staff	24% (326)	68% (934)	8% (117)	-
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Specified ethnicity of teachers

	White (%)	Any Other mixed background (%)	Asian or Asian British (%)	Black or Black British (%)
Teachers	63% (1,515)	4% (101)	7% (162)	12% (298)

Source: SFR25 2020/2021

The staff ethnicity data shows the broad composition of ethnicities among classroom and non-classroom staff.

For teaching staff in Haringey schools there is a slight majority (47%) of not minority group compared to 43% who are Ethnic minority including white minorities. Across all staff other than teachers most staff at Haringey schools are Ethnic minority including white minorities.

A greater proportion of Haringey teachers identify as White (63%) compared to Haringey pupils (48.3%).

6. Sexual orientation

We do not hold ward or borough level data on sexual orientation, and it is not collected nationally through the Census. It is also difficult to assess sexual orientation across the pupil cohort given the age variances and limitations on data collection possible with this group.

However, the ONS estimates that 3.7% of Haringey's population are lesbian, gay or bisexual (LGB), which is the 15th largest LGB community in the country², and may be reflected in parent and staff populations. ONS data shows that 0.5% families are same sex cohabitating couples³, which suggests that LGB people are less likely to be parents, compared with the wider population.

7. Religion or belief (or no belief)

Service users (pupils)

Religion or belief is not covered by the PLASC school census, which means that we don't have access to relevant records. The best alternative proxy is the Haringey data derived from the England and Wales Census 2011 data on religion by age. Data on the appropriate age groups (0-4, 5-7, 8-9, 10-14, 15, 16-17 and 18-19) has been combined to provide an approximation of the likely religious or belief profile of school age children in Haringey.

²<https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality/articles/subnationalsexualidentityestimates/uk2013to2015#introduction>

³ <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality/bulletins/sexualidentityuk/2015>

The notional number is based upon the known sample size of pupils in Haringey (38,561) multiplied through the distribution of religion or belief from the 2011 Census.

	Percentage (%)	Notional Number
Christian	41.1%	15,849
No religion	20.0%	7,712
Religion not stated	10.4%	4,010
Muslim	21.3%	8,213
Jewish	4.9%	1,889
Hindu	1.0%	386
Buddhist	0.7%	270
Sikh	0.3%	116
Other religion	0.2%	77
Total	100%	38,561

Source: ONS (2011 Census data for Haringey)

Note: * Totals may not add up due to rounding

The data demonstrates that Christian and Muslim pupils are the largest faith groups within Haringey's pupil cohort (41.1% and 21.3% respectively), followed by those with no religion (10.4%), with the expectation that this reflects the religious beliefs of parents in Haringey who are likely to define their child's religious beliefs.

Service users (parents/carers)

While there is no data available on religious beliefs of Haringey parents/carers, Census data follows the trend seen above, indicating that Christianity and Islam are the main religions in Haringey (45.0% and 14.2% respectively), with 25.2% of residents having no religion.

Staff at Haringey schools

There is no publicly available data on the religious beliefs of Haringey's schools staff. These may reflect the borough-wide position.

8. Pregnancy and maternity⁴

The proportion of 0-4 year old in the latest ONS mid year population estimates (mid 2020):

	Percentage (%) / Number of 0-4 year olds
Haringey	6.5% / (17,426)
London	6.6% / (595,799)

⁴ ONS MYE 2020

England and Wales	6.2% (3,400,788)
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Haringey has a higher proportion compared to the England and Wales average, but is marginally below the London average, indicating that there may be increased numbers of mothers with young children in Haringey for whom the admissions arrangements might have an impact. However, we do not hold data on whether these mothers are also likely to have older children of school age, to whom the admissions arrangements would be relevant.

9. Marriage and Civil Partnership⁵

	Married (heterosexual couples)	Civil Partnership
Haringey	32.2%	0.6%
London	40%	0.4%
England and Wales	47%	0.2%

Source: Census 2011 data

This protected characteristic is by its very nature relevant to parents/carers and teachers only. The number of married people (only available to heterosexual couples at the time of the data being collected) is significantly lower than in London and England. However, the proportion of people in civil partnerships is higher in the area compared to the London and England and Wales average. Decisions will need to ensure all couples in a civil partnership are treated exactly the same as couples in a marriage. We do not hold data which demonstrates the relationship between marital status and likelihood of being a parent/carer of a school-aged child in Haringey, for parents or staff.

4. a) How will consultation and/or engagement inform your assessment of the impact of the proposal on protected groups of residents, service users and/or staff?

Please outline which groups you may target and how you will have targeted them

Further information on consultation is contained within accompanying EqlA guidance

The consultation seeks to establish the key concerns and issues of stakeholders and clarify if they identify those issues also shown in the EqlA. Stakeholders such as pupils, parents, carers, school staff and governors will be invited to participate in a consultation and share their views including whether or not they agreed with each proposal and if not, why not. To this purpose an annual Admissions Arrangements survey has been developed which attempts to ascertain views on several educational admission themes.

To ensure as wide a consultation as possible we intend to provide details of the proposed admission arrangements in the following ways:

⁵ Census 2011

- through the Schools Bulletin which is distributed to the headteacher and chair of governors of schools in the borough
- through direct emails to head teachers and Chairs of Governors
- to all children's centres in the borough
- to all registered nurseries and child minders and any other early years providers
- on the Council's online primary and secondary admissions page
- via information in all libraries across the borough
- to all councillors
- to both MPs with constituencies in Haringey
- to the diocesan authorities
- to neighbouring authorities
- other groups, bodies, parents and carers as appropriate

Stakeholders will also be given the opportunity to express their views in writing via a questionnaire – both electronically and via the hard copy attached to the consultation document, by email and post.

4. b) Outline the key findings of your consultation / engagement activities once completed, particularly in terms of how this relates to groups that share the protected characteristics

Explain how will the consultation's findings will shape and inform your proposal and the decision making process, and any modifications made?

Overall we received 3 responses to the consultation.

This year we did not propose a change to the admission arrangements including the oversubscription criteria for community and VC schools.

While there are other ways admission arrangements can influence the allocation of school places set out in the Schools Admissions Code 2021 (e.g. designated catchment areas, identified feeder schools or giving priority in our oversubscription criteria to children eligible for the early years premium/ pupil premium), none of the above serve the local interest of our families and school communities so no alternative option is being considered at the time of writing this report.

Responses were received via questionnaire and were in favour of the proposed arrangements and fair access protocols (see below). This can be interpreted to suggest that our arrangements continue to serve the local interest of our families and school communities.

One respondent sought to clarify the way Haringey approaches the fair access protocol and stated that "Haringey need to demonstrate that the usual, reasonable IYAP procedures have been used before a student comes to the FAP. FAP should only be used in exceptional circumstances." Please see Appendix 7b – Responses to the consultation for the full response.

There were several objections received from another respondent and these are summarised below.

- A) "Haringey need to demonstrate that the usual, reasonable IYAP procedures have been used before a student comes to the Fair Access Panel (FAP). FAP should only be used in exceptional circumstances."

LA response: Children are referred to the fair access panel only if they qualify under the scheme of the protocol and in accordance with the requirements set out at para. 3.17 of the Admissions Code. Our records indicate there have only been a very small number of cases referred to panel under exceptional circumstances since the beginning of the 2021/22 academic year. See more information at para. C) below.

- B) "In addition, 3.19 of the code states that parental views may be sought but should not determine the outcome of the FAP. Parental preference should not be a feature of the FAP, as it leads to unrealistic expectations for parents. (Pt 21: "preferences made and views of parents/carers and the view of the pupil (including religious affiliation)")."

LA response: The panel is fully aware that there is no duty to comply with parental preference (the fair access guidance⁶ produced by the DfE sets this out), but the Code is very clear (para. 3.19) that parents' views should be taken into account. The protocol already acknowledges that the panel must make a decision on the most appropriate provision in the child's best interests, irrespective of parental preference. We have found that families are more willing to engage if parental preference has been met and the views of parent/carers and the view of the pupil (including religious affiliation) must always be taken into account in line with statutory guidance. It should also be noted that there are instances where parental preference as expressed, cannot be complied with by the Panel and we work with the family to manage expectations around this.

- C) "Pt 5: Exceptional circumstances as defined by the LA: what evidence can schools reasonably expect to explain Haringey's decision to categorise an application as 'exceptional'? There is concern that the criteria at 5K in the Protocol is used too widely. 'Exceptional' should be used rarely."

LA response: A decision to categorise an application as 'exceptional' is made based on the circumstances of the case and in line with the requirements of the Admissions Code. Our records indicate that since the beginning of the academic year, only a very small number of cases have been referred to the panel under 'exceptional' circumstances.

⁶https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1012993/FAP_Guidance.pdf

These cases relate predominantly to applications for a Year 10 place where we are not able to meet parental preference and there is a limited number of secondary schools with vacancies. A decision to allocate a school place in an open and transparent forum is favoured by panel members so we can ensure there is fair distribution of pupils, and no single school receives a disproportionate number of Year 10 pupils. The vast majority of applications for a Year 10 place are processed through the normal in-year admissions route. On average, only 1 or 2 are referred to the fair access panel each month because we have not able to meet parental preference.

- D) There is also concern that when a student is placed via the FAP the siblings' link, or any other priority link should not be applied subsequently to that family.

LA response: The current admission arrangements for Haringey give priority to siblings attending the school regardless of which criterion they were admitted under. There are no plans to alter the sibling criterion for children admitted via fair access because it would cause disproportionate disadvantage to these families, many of whom are already highly vulnerable.

- E) "Pt 28: 15 days between notification and admittance does not always allow for the timely sharing of vital information, particularly with reference to social services, both Haringey and other LAs. We also need information from the previous school when the young person is presented to panel. If no information is forthcoming an extension should be granted. This also has implications for the 6 days permitted to return the student to panel."

LA response: The Code sets out that once a child has been allocated a school place via the fair access protocol, arrangements should be made for the child to start at the school **as soon as possible**. Information gathering should not be a barrier to admission and schools must not delay on the basis that they have not received timely information from a previous school or from Social Care. The Code specifically states that admission authorities **must not refuse to admit a child solely because information has not been received from their previous school** (para. 2.9 d).

- F) "Para21. final bullet point (The presumption that a pupil will return to the school where they were previously on roll...) This should be removed. Instead it should say that the individual circumstances of the child should be looked at before this decision is made. It is clear that returning a student is not always in their best interest."

LA response: The panel collectively agreed some years ago to introduce this as a preventative strategy to mitigate against schools off-rolling pupils unlawfully and to date, it has been very effective. It is already recognised in the protocol that it may not be in the best interest for every single pupil to automatically return to their former school. Suitable alternatives to returning to the former school have been sought by panel members in the past because it has not been appropriate, and this remains a viable option in any discussion on any child.

G) Year 11 students - are the views of the students taken into account when they come through FAP? Is it the correct time to move schools? Are they made fully aware of the curriculum implications when moving schools?

LA response: Children referred to fair access transferring from other schools are referred because they are not able to continue to travel to their current school because it is considered to be an unreasonable travelling distance (more than 3 miles). This unreasonable distance will have been the result of a house move. These pupils are treated as unplaced and are frequently new arrivals in Haringey from other parts of the UK. Continuing to attend their previous school is not practically feasible, irrespective of curriculum implications. We are aware that Haringey schools work to match curriculum and syllabus requirements for these children, wherever possible.

Our response to queries around how we undertake the Fair Access Panel is as follows:

“Haringey’s Fair Access Protocol

Haringey’s fair access protocol ensures unplaced children, especially the most vulnerable, are offered a school place without delay and is a statutory requirement set out in the School Admissions Code 2021. This is a statutory requirement set out in the Code. In using the protocol, Haringey ensures that these children and young people are shared fairly across all Haringey schools and that this process is open and transparent.

All Haringey schools, including schools that are their own admission authority continue to support the principles and approach of the fair access protocol. Paragraph 3 at Appendix 5 sets out that “it is essential to the success of the fair access protocol that all headteachers and governing bodies agree to the aims, principles and procedures and give their fullest support.”

On the basis of the consultation responses received, we are satisfied that no amendments to the current admissions arrangements are necessary, with overall positive feedback on the impacts of the proposed arrangements on Haringey’s pupils and families.

5. What is the likely impact of the proposal on groups of service users and/or staff that share the protected characteristics?

Please explain the likely differential impact on each of the 9 equality strands, whether positive or negative. Where it is anticipated there will be no impact from the proposal, please outline the evidence that supports this conclusion.

Further information on assessing impact on different groups is contained within accompanying EqIA guidance

1. Sex *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

Positive		Negative		Neutral impact	X	Unknown Impact	
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All primary and all but one secondary school within the borough are coeducational. Regardless of the Haringey coeducational school that doesn't admit boys, there is sufficient capacity to accommodate pupils of all sexes in a school of preference or within the reasonable travelling distance guidelines set out by the DfE.

For all of these schools, the sex of the pupil is not a factor of the admission arrangements, with no implications therefore based on this protected characteristic.

Female school staff may be positively impacted by the admission arrangements since they form a larger percentage of staff by sex. This is bolstered by the fact that they are generally also at an age generally associated with child birth.

The admission arrangements do not have an impact on the sex of the different parent/carer compositions within Haringey households.

Sex is not a factor of the admission arrangements, so this protected characteristic is not affected.

2. Gender reassignment *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

Positive		Negative		Neutral impact		Unknown Impact	X
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There are no proposals in the admissions arrangements that are anticipated to affect this protected characteristic, notwithstanding the limitations in the data available in respect of this protected characteristics.

Steps will be taken to ensure that this protected group is not subject to discrimination as a result of this change in criteria.

3. Age (Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)

Positive		Negative		Neutral impact	X	Unknown Impact	
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In terms of implications for pupils and their parents or carers, the policy applies equally to all children of statutory school age as defined by the Admissions Code 2021 with no particular age brackets overrepresented in the adult or pupil population, with no particular impacts anticipated as a result.

4. Disability (Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)

Positive	X	Negative		Neutral impact		Unknown Impact	
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In light of the above commentary, we have focused our analysis on the impact of the proposals for pupils with a disability or a special educational need. Section 324 of the Education Act 1996 requires the governing bodies of all maintained schools to admit a child with a statement of special educational needs/EHCP that names their school. These children are placed in the relevant school before all other places are allocated. Where a child with a disability or special educational needs is to attend a Special School, allocation of places is through a specialist panel and sits outside of the scope of these admission arrangements.

Our admission arrangements include a social medical criterion that can give priority to children with special educational needs but without an Education Health and Care Plan. However, the threshold is very high, and parent/carers need to demonstrate to a panel that only one school can meet their child's needs in a way that no other school can. All Haringey schools are able to work with special educational needs and are expected to accommodate severe and other medical needs and offer pastoral support to children. All Haringey schools are able to support children with a wide range of abilities, special needs, disabilities and learning difficulties, from able, gifted, and talented pupils to those with multiple and significant disabilities, medical conditions and learning difficulties.

Children with special educational needs who do not have an Education Health and Care Plan also qualify under the fair access protocol, meaning that a larger number of children with special education needs of varying levels should be positively impacted by the proposed arrangements. Overall, the admission arrangements are anticipated to have a positive impact on Haringey pupils with this protected characteristic, recognising however that, where children do not meet the required threshold, allocation of their school space will be defined according to the remainder of the admissions rules and they may not be positively impacted in the same way.

We do not hold sufficient data on the disability status of parents/carers or staff to understand if there will be any impacts on these cohorts of individuals.

5. Race and ethnicity *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

Positive	X	Negative		Neutral impact		Unknown Impact	
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The Local Authority has a duty to ensure the proposed arrangements do not unfairly disadvantage any child based on race. While there is an overrepresentation of children from ethnic minority backgrounds among the pupil population of Haringey, the admissions arrangements apply across the piece regardless of ethnic identity. It should however be recognised that the operation of the Fair Access Protocol may have a particular positive impact on pupils from certain ethnic minority groups who meet its requirements, recognising the intersection between race and ethnicity, socioeconomic disadvantage, and disadvantage as a whole, which the Protocol is targeted at addressing.

While the data demonstrates that there is a slight majority of minority ethnicities across Haringey’s school staff, we do not know the proportion of which are also parents of school-aged children who might benefit from admissions arrangements giving priority to children of staff. That said, it is anticipated that this provision will have a positive impact on staff from minority ethnicity backgrounds, given their slight overrepresentation among the wider staff population.

6. Sexual orientation *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

Positive		Negative		Neutral impact	X	Unknown Impact	
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All schools included in the arrangements have to admit pupils regardless of sexual orientation.

We do not hold ward or borough level data on sexual orientation, and it is not collected nationally through the Census. However, the ONS estimates that 3.7% of Haringey’s population are lesbian, gay or bisexual (LGB), which is the 15th largest LGB community in the country⁷, which is likely to be reflected in both the pupil and parent populations. However, ONS data shows that 0.5% families are same sex cohabitating couples⁸, which suggests that LGB people are less likely to be parents, compared with the wider population. However, we will need to ensure that discrimination based on sexual orientation is eliminated in the application of this criteria.

We do not anticipate that the admissions arrangements will have any impact on people based on their sexual orientation and we will continue to ensure there is no discrimination based on sexual orientation.

⁷<https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality/articles/subnationalsexualidentityestimates/uk2013to2015#introduction>

⁸ <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality/bulletins/sexualidentityuk/2015>

7. Religion or belief (or no belief) *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

Positive		Negative		Neutral impact	X	Unknown Impact	
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For community and VC schools, religion is not a factor of the admission arrangements.

The governing bodies of faith schools are the admitting authorities for these schools and the admissions criteria are therefore outside of these arrangements. Faith schools are allowed to set objective criteria relating to faith, in line with the mandatory provisions of the Schools Admission Code.

Notwithstanding that data shows a marked overrepresentation of Muslim children across the cohort of Haringey pupils in comparison with data on the wider population, there is no evidence to suspect that children with any particular religion or belief (or indeed none) will be disproportionately affected by the admissions proposals.

8. Pregnancy and maternity *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

Positive	x	Negative		Neutral impact		Unknown Impact	
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In addition to the criteria set out in Section 1, if only one place is available at the school and the next child who qualifies for a place is one of multiple birth, the Local Authority would ask community schools to go over their published admission number. This aspect of the criteria ensures that multiple birth families are not disadvantaged by the proposed arrangements.

9. Marriage and Civil Partnership *(Consideration is only needed to ensure there is no discrimination between people in a marriage and people in a civil partnership)*

There are no proposals in the Admissions Arrangements that affect this protected characteristic.

Teachers or teaching assistants in a civil partnership who may be affected by the arrangements will be treated the same as people who are married.

Positive		Negative		Neutral impact	X	Unknown Impact	
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10. Groups that cross two or more equality strands e.g. young black women

The proposal is likely to have a positive impact on groups with intersecting protected characteristics. These groups include:

- female schools staff - as women are overrepresented among Haringey school staff and the proposal targets parents with school-aged children.
- Children from ethnic minority groups. Evidence shows that they are more likely to face socioeconomic disadvantage, are overrepresented among the population of children in care or children who are looked after, and are more likely to have a disability or special educational needs. The prioritisation of the admissions criteria means that children from ethnic minority backgrounds are on the whole likely to be positively impacted by the proposed arrangements.

Outline the overall impact of the policy for the Public Sector Equality Duty:

- **Could the proposal result in any direct/indirect discrimination for any group that shares the relevant protected characteristics?**
- **Will the proposal help to advance equality of opportunity between groups who share a relevant protected characteristic and those who do not?**

This includes:

- Remove or minimise disadvantage suffered by persons protected under the Equality Act**
 - Take steps to meet the needs of persons protected under the Equality Act that are different from the needs of other groups**
 - Encourage persons protected under the Equality Act to participate in public life or in any other activity in which participation by such persons is disproportionately low**
- **Will the proposal help to foster good relations between groups who share a relevant protected characteristic and those who do not?**

The admission arrangements do not differ materially from the arrangements for previous years, and we therefore do not consider that there are any new or specific Equalities issues to emerge from these general admissions arrangements. We continue to monitor and assess the impact of any changing trends for consideration when admissions criteria are set each year.

6. a) What changes if any do you plan to make to your proposal as a result of the Equality Impact Assessment?

Further information on responding to identified impacts is contained within accompanying EqIA guidance

Outcome	Y/N
No major change to the proposal: the EqIA demonstrates the proposal is robust and there is no potential for discrimination or adverse impact. All opportunities to promote equality have been taken. <u>If you have found any inequalities or negative impacts that you are unable to mitigate, please provide a compelling reason below why you are unable to mitigate them.</u>	Y
Adjust the proposal: the EqIA identifies potential problems or missed opportunities. Adjust the proposal to remove barriers or better promote equality.	

Clearly set out below the key adjustments you plan to make to the policy. If there are any adverse impacts you cannot mitigate, please provide a compelling reason below

Stop and remove the proposal: the proposal shows actual or potential avoidable adverse impacts on different protected characteristics. The decision maker must not make this decision.

6 b) Summarise the specific actions you plan to take to remove or mitigate any actual or potential negative impact and to further the aims of the Equality Duty

Impact and which relevant protected characteristics are impacted?	Action	Lead officer	Timescale

Please outline any areas you have identified where negative impacts will happen as a result of the proposal, but it is not possible to mitigate them. Please provide a complete and honest justification on why it is not possible to mitigate them.

6 c) Summarise the measures you intend to put in place to monitor the equalities impact of the proposal as it is implemented:

Training – Staff in the Haringey School Admissions and Organisation Service are provided with yearly refresher training in line with the admission arrangements and appeal regulations which addresses any changes to either the criteria or co-ordinated schemes.

Monitoring - The Head of Admissions and School Organisation at Haringey Council will be responsible for monitoring. The School Admissions Return to DfE is an annual report which sets out information on the effectiveness of the admission arrangements and

compliance with the requirements of the Code. The annual report to the Office of Schools' Adjudicators monitors the fairness of the admission arrangements. This information is reported to the DfE and the OSA annually.

Two main mechanisms will be used by the DfE to provide feedback on how effective the measures in the revised Codes and regulations have been and to inform future policy development. In producing his annual report for the Secretary of State, the Schools Adjudicator will take account of the reports he will receive from each local authority on the legality, fairness, and effectiveness of local admission arrangements.

Appeal arrangements - Admission arrangements are subject to an appeal process that gives parents the right to appeal decisions. The process is also used to hold admissions authorities to account and ensure that the arrangements have been applied correctly.

7. Authorisation

EqlA approved by
(Assistant Director/ Director)

Date

8. Publication

Please ensure the completed EqlA is published in accordance with the Council's policy.

Please contact the Policy & Strategy Team for any feedback on the EqlA process.